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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,325	06/15/2005	Johannes Friso Rendert Blacquiere	NL 021419	9277
24737 7590 06/07/2007 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER NGUYEN, THAN VINH	
			ART UNIT 2187	PAPER NUMBER
			MAIL DATE 06/07/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/539,325

**Applicant(s)**

BLACQUIERE ET AL.

**Examiner**

Than Nguyen

**Art Unit**

2187

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-15 are pending.
2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 6,8-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. As to claim 6, Applicant claims a method that comprises another method. Claim 6 is an independent claim that refers to claim 1. This claim structure is confusing as it refers to another method claim. To clarify the claim, Applicant should remove all dependency on other claims and incorporate the limitations of claim 1 into this claim.

6. As to claim 8, Applicant claims an apparatus that comprises another method. It is unclear as whether an apparatus is being claimed or a method is being claimed. To clarify the claim, Applicant should remove all dependency on other claims and incorporate all required limitations into this claim. Applicant also claimed that at least one reservation file has been declared in claim 1. Claim 1 does not mention any reservation file and or its declaration.

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7. As to claim 9-14, it is unclear as what is being claimed. Claims 9-14 depend on claim 7, which claims an optical disc. Claims 9-14 refer to a method of writing information on an optical disk according to claim 7. Claim 7 is not a method claim. Thus, it is unclear as what is being claimed since the parent claim is an apparatus claim, not a method claim. Correction is required.

8. As to claim 15, Applicant claims an apparatus that comprises another method. It is unclear as whether an apparatus is being claimed or a method is being claimed. To clarify the claim, Applicant should remove all dependency on other claims and incorporate all required limitations into this claim. All structural elements of the claimed apparatus must be listed in the claim body.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Todo et al (US 2001/0032213 A1).

As to claim 1,15:

11. Todo teaches a method of writing an optical disc having a user storage space, the method comprising the steps of: determining a reserved storage section of the user storage space for use by a specific application (determine user area; Fig. 2; par. 0049); determining which parts of said

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reserved storage section are free for writing, i.e. not occupied (find unused areas; par. 0025, 0059); allocating all addresses in those free parts to a reservation file (track unused areas with dummy file; par. 0020, 0026, 0027, 0050, 0056-0059).

As to claim 2:

12. Todo teaches the reservation file is declared into a file allocation list, which is stored in a predetermined portion of storage space of the disc (dummy file is declared in file descriptor of the file system; par. 0053, 0058, 0059).

As to claim 3:

13. Todo teaches the reservation file has a predetermined name (dummy file with name; par. 0056-0058, 0081).

As to claim 4:

14. Todo teaches the reservation file is declared as a non-relocatable file (dummy file is a secured file; par. 0050-0051).

As to claim 5:

15. Todo teaches the reservation file is an empty file (if no unused portions, dummy file is empty; par. 0050-0059).

As to claim 6,10:

16. Todo teaches a method of writing an optical disc having a user storage space, the method comprising the steps of: writing user data into the user storage space in response to a write

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command (write data to user area; par. 0061-0066); after the writing operation of the user data is completed, performing the method steps according to claim 1 (see response to claim 1).

As to claim 7:

17. Todo teaches an optical disc having a user storage space (user area; Fig. 2; par. 0049), and a file allocation list (file management info.; Fig. 2-3; par. 0051-0053) stored in a predetermined portion of storage space of the disc, the file allocation list containing at least one reservation file (dummy file; par. 0053-0059).

As to claim 8:

18. Todo teaches an optical disc having a user storage space (user area; Fig. 2; par. 0049), and a file allocation list (file management info.; Fig. 2-3; par. 0051-0053) stored in a predetermined portion of storage space of the disc, the file allocation list containing at least one reservation file, wherein the at least one reservation file has been declared in accordance with claim 1 (see response to claim 1).

As to claim 9:

19. Todo teaches the steps of: receiving a user command indicating an amendment to the size of said reserved storage section; accordingly, defining a new start address and/or a new end address of the at least one reservation file; updating the file allocation list in respect of the reservation file (modify size of storage area; update dummy file; Fig. 7; par. 0068-0075).

As to claim 11:

20. Todo teaches addresses for writing the user data are selected on the basis of application-specific recording location information regarding location and extent of recorded areas (application specific data; par. 0049, 0059, 0062).

As to claim 12:

21. Todo teaches wherein, in order to determine addresses available for writing the user data, said file allocation list is consulted to determine the free parts of reserved storage space as secured by said at least one reservation file, and wherein addresses for writing the user data are selected within said free parts (check dummy file for free areas; par. 0066-0067).

As to claim 13:

22. Todo teaches, wherein, if it appears that the size of the free area is insufficient to accommodate the information to be written, the following steps are taken: determining whether the user storage space outside said reserved storage section, either by itself or in combination with the free area already found, contains a storage space portion suitable and sufficient for accommodating the information to be written, taking into account existing files as determined by said file allocation list (check other areas for space; par. 0066); allocating all addresses within said portion to a reservation file in order to increase the size of said reserved storage section (allocate and increase more space; Fig. 9; par. 0071-0074).

As to claim 14:

23. Todo teaches, wherein the step of updating the file allocation list comprises the steps of: determining which parts of said reserved storage section are still free for writing, i.e. not

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occupied; allocating all addresses in those free parts to said at least one reservation file, and entering the updated at least one reservation file into said file allocation list; or, alternatively, updating the corresponding data in the file allocation list (find unused areas, reserve, and update dummy file; par. 0066,0067).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Than Nguyen whose telephone number is 571-272-4198. The examiner can normally be reached on 8am-3pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Than Nguyen  
Primary Examiner  
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